

REMARKS

The Examiner's Office Action has been reviewed. The Examiner has objected to the specification for a formality in line 13 of page 14. In accordance with the Examiner's helpful suggestions, the specification has been amended correcting the objectionable sentence to now read: "The primary bit is preferably sized to correspond with the secondary bit."

Applicant wishes to thank the Examiner for his attention to detail.

The Examiner has then rejected Claim 1 "under 35 U.S.C. 103(a) as being unpatentable over Cherrington (US 4,735,885) in view of Sabre (3,871,488), McGillis (US 6,682,264), and Wentworth (US 2001/0016148)". The Examiner has also rejected Claim 2 "under 35 U.S.C. 103(a) as being unpatentable over Cherrington (US 4,785,885) in view of McGillis (US 6,682,264)". The Examiner has then rejected Claims 3 - 5 "under 35 U.S.C. 103(a) as being unpatentable over Cherrington in view of McGillis as applied to claim 2 above, and further in view of Sabre (US 3,871,488). These rejections have been reviewed and are traversed, particularly in light of the amendments herein.

The specific amendments to the claims are:

Claim 1 has been amended as line 41 changing "apertured insert to --an insert with an aperture-- and at lines 42 and 43 by removing "coupled to the insert and" and insert therefor --

extending through the large diameter bore of the secondary bit and the aperture of the insert, the line also having--.

Claim 2 has been amended at line 9 by inserting --with a central forward bore in the conical exterior end-- following "extension rod" and at line 10 by removing "coupled" and now describing the length of line as --extending through the central forward bore for coupling the line-- to the exterior end of the secondary bit. The subject matter of Claims 4 and 5 have been added to Claim 2 with the except of the four small diameter bores at both instances changed to --a plurality of small diameter bores--.

Claim 3 remains unchanged.

Claims 4 and 5 have been canceled as their subject matter has been added to Claim 2 as specifically enumerated herein above.

More specifically, there are similarities between applicant's invention as disclosed and claimed and the prior art as exemplified by Cherrington, Sabre, McGillis and Wentworth. There are also significant differences. The most significant difference is in the secondary bit and its coupling to the components of the system after the primary bit has been removed. In this regard, a line has an interior end extending rearwardly through a central bore through the secondary bit at the conical section. This is clearly brought out in Claim 2 and its dependent Claim 3 as presently amended. Beyond this, Claim 1

further adds the insert as an element of the combination through which the line passes after moving through the central bore of the secondary bit. Such relationship is simply not found in the prior art, whether taken alone or in combination. The Examiner properly notes in paragraph j of Page 4 of the Office Action that the primary reference does not disclose such claimed feature. The Examiner then alleges on Page 5, lines 3 and 4, that "McGillis also discloses a line (Figure 10 Item 118) attached to an insert within the secondary bit." Such an allegation is improper since McGillis at Figure 10 Item 118 discloses an enlarged bore 118 in column 7, line 22, in combination with a product pipe 118 in column 7, line 54. There is no teaching of a line extending through a central bore in a secondary bit in combination with an insert having an aperture receiving the line.

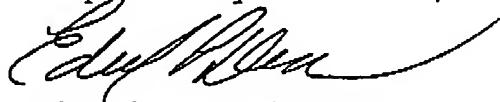
Amended Claim 2 has a similar recitation of the central forward bore in the conical extent in combination with a length of line extending through the central forward bore for coupling the line to the exterior end of the secondary bit. Again, such feature is not found in the prior art despite the Examiner's interpretation of McGillis and the other prior art references.

It would appear that the Examiner has merely gleaned miscellaneous features in the prior art and has attempted to combine them without a teaching for their combination. The only teaching is in applicant's disclosure which, by definition, is not prior art. But even if there were a teaching for the

combination, the resulting structure would still fail to anticipate applicant's invention for the reasons set forth herein above.

It is deemed that the amendments herein overcome all grounds of objection and rejection. Reconsideration and a Notice of Allowance are requested.

Respectfully submitted,



Edward P. Dutkiewicz,
Reg. 46,676
640 Douglas Avenue
Dunedin, FL 34698
Telephone: (727) 734-2855
Facsimile: (727) 734-2750